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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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10 UNITED STATES OF AMERICA, ) 2:10-cr-0121-RLH-RJJ  
11 )  
12 PLAINTIFF, ) MOTION TO DISMISS COUNT EIGHT  
13 VS. ) OF THE INDICTMENT  
14 BRETT I. DEPUE, ) **ORDER**  
15 DEFENDANT. )  
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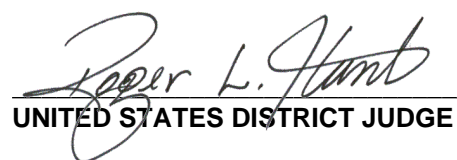
17 The United States of America, by and through Daniel G. Bogden, United States Attorney,  
18 and Brian Pugh and Sarah E. Griswold, Assistant United States Attorneys, moves to dismiss Count  
19 Eight of the Indictment.

20 Respectfully submitted this 31st day of January 2012.

21 DANIEL G. BOGDEN  
United States Attorney  
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23 /s/ Brian Pugh  
BRIAN PUGH  
24 SARAH E. GRISWOLD  
Assistant United States Attorneys  
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26 **IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE

Dated: February 1, 2012